

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S. C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N # 2005-1X-064-W

APRIL 1, 2005

Pursuant to Section 401 and 404 of the Clean Water Act (33 U.S.C. 1341), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the State of South Carolina by

EMILY HANDY
THE ESTATES OF LAKE BLALOCK, LLC
C/O ECOLOGICAL ASSOCIATES, INC.
4676 BEARS BLUFF ROAD
WADMALAW ISLAND, SOUTH CAROLINA 29487

for a permit to construct an impoundment in an unnamed tributary of

PACOLET RIVER

located immediately south of Buck Creek Road, approximately 0.5 mile west of it's intersection with Creek Road in Spartanburg County, South Carolina (Latitude 35.10430, Longitude 81.90539).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, MAY 2, 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing an approximate 1.8-acre impoundment. In detail, the applicant proposes to construct an embankment that will serve as a multi-purpose dam and interior road within a proposed residential development. The embankment will have a top width of approximately 25 feet and a bottom width of 230 feet. Approximately 230 linear feet (0.02 acres) of stream will be filled for the construction of the embankment and approximately 550 linear feet of stream and adjacent wetlands will be flooded (0.09 acres). The purpose of the proposed work is to construct a lake as an amenity for recreational use for the residents of the proposed subdivision.

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NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards (Section 401 of the Clean Water Act). The District Engineer will not process this application to a conclusion until such certification is received. This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification or the navigable waters permit must submit all comments in writing to the S. C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.11 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any Federally listed or proposed to be listed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

APRIL 1, 2005

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink, appearing to read 'Elizabeth Jackson', with a long, sweeping horizontal line extending to the right.

Elizabeth Jackson
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

A topographic map showing a rural landscape with a grid overlay. A central area is outlined and labeled 'SITE' with an arrow pointing to it. The map features contour lines, roads, and water bodies. Key locations include 'PACOLET' with a 'Pans Bridge', 'Rocky Ford', 'Buck Creek', 'Little Creek', and 'Cudds Creek'. Elevation points are marked with numbers like 2597, 2487, 2417, 2607, 2677, 2787, 2498, 2337, 2317, 237.4, and 242.5. A 'CEN.' (Cemetery) is also indicated. The map is titled '2005-1X-064-W' and 'Applicant: The Estates of Lake Blalock' at the bottom.

Quadr. - Valley Falls

SANDRA KAY WESTBROOK

DONALD M.
WESTBROOK

FRANCES
WILLIAMS

INTERMITTENT
STREAMS

BUCK CREEK ROAD

JAMES BLACKWELL

JAMES C BLACKWELL

DAM FILL
230 LF, 0.02 AC.

STREAM FLOOD
550 LF, 0.09 AC.

PROPOSED
LAKE

WETLAND A

WETLAND E

WETLAND F

LEGEND:

STREAM FILLED - 230 LF
 STREAM FLOODED - 550 LF
 STREAM PRESERVED - 1,750 LF
 STREAM BUFFER - 3.3 Ac.
 LAKE BUFFER - 7.4 Ac.

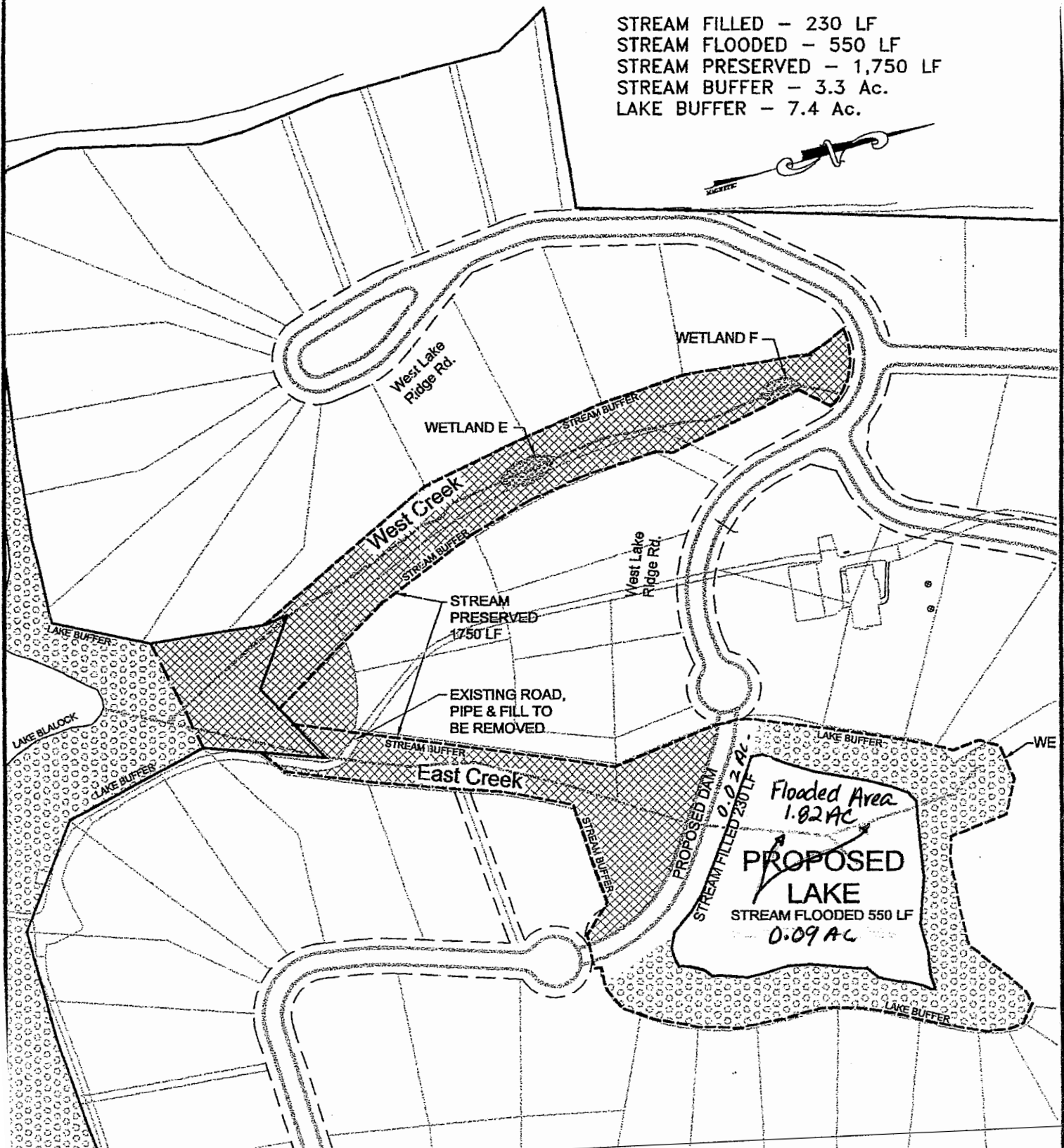
A	12/27/04	ISSUED FOR PERMIT	JJ	DW	DW
REV	DATE	DESCRIPTION	DWN	CKD	APP
PROJECT NAME			DWG NO		
ESTATES OF LAKE BLALOCK			OVERALL PLAN		
FOR			D-1		
ESTATES OF LAKE BLALOCK, LLC. MAYO S.C.			REV		
SCALE			DATE		
N.T.S.			12/27/04		
FILE NAME			PROJECT NO		
Detail.Dwg			2004-036		

Applicant: The Estates of Lake Blalock
 At: Buck Creek Road
 County: Spartanburg
 Water Body: Tribs. To lake Blalock
 Sheet 2 of 4 Date: 3-16-05

2005-12-004-2

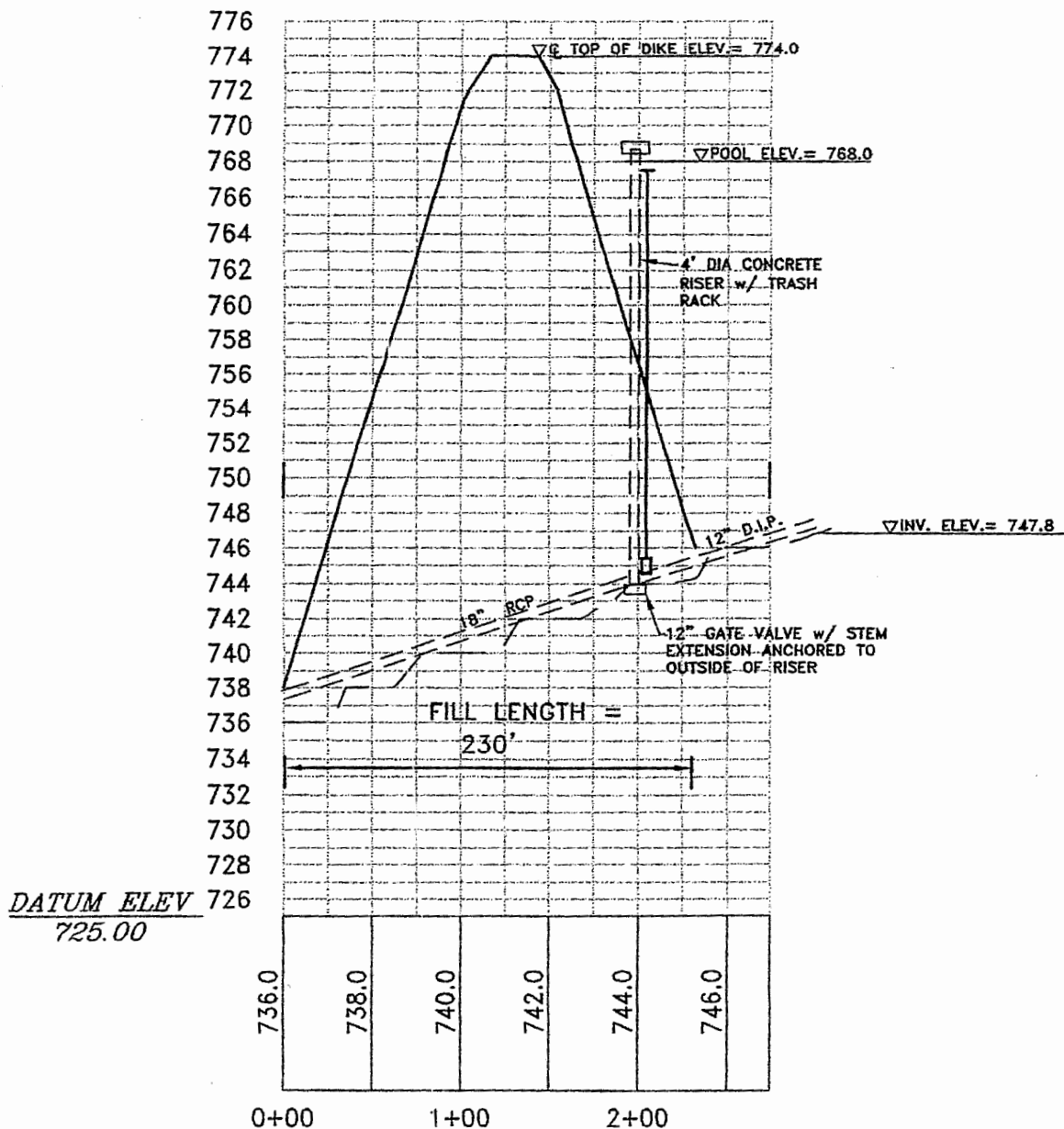
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A	12/27/04	ISSUED FOR PERMIT	JJ	DW	DW
REV	DATE	DESCRIPTION	DWN	CKD	APP
PROJECT NAME ESTATES OF LAKE BLALOCK FOR ESTATES OF LAKE BLALOCK, LLC. MAYO S.C.			TITLE CREEK AND LAKE PLAN		
SCALE N.T.S.			DATE 12/27/04		
FILE NAME Detail-1.Dwg			PROJECT NO 2004-036		
			DWG NO D-2		
			REV A		



2005-12-004-W

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 Location: Buck Creek Road
 County: Spartanburg
 Water Body: Tribs. To lake Blalock
 Sheet 4 of 4 Date: 3-16-05

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REV	DATE		DESCRIPTION			DWN	CKD	APP
PROJECT NAME					TITLE		DWG NO	
ESTATES OF LAKE BLALOCK					DAM PROFILE SECTION		D-3	
FOR					SCALE		DATE	
ESTATES OF LAKE BLALOCK, LLC. MAYO S.C.					1"=100'		12/27/04	
					FILE NAME		PROJECT NO	
					Detail-2.Dwg		2004-036	
							REV	
							A	